

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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Federal Communications Commission
Office of the Secretary

In the Matter of)
)
National Association of)
Regulatory Utility Commissioners')
(NARUCs') Petition Addressing) DA 91-1307
Administration of the North American)
Numbering Plan)

REPLY COMMENTS OF THE
NYNEX TELEPHONE COMPANIES

I. INTRODUCTION

New England Telephone and Telegraph Company and New York Telephone Company (the "NYNEX Telephone Companies" or "NTCs") submit these Reply Comments to certain parties' Comments filed December 20, 1991, in the above-captioned matter.¹ Those Comments were directed to NARUC's petition filed September 26, 1991 requesting the FCC to initiate a Notice Of Inquiry (NOI) on a myriad of issues surrounding the North American Numbering Plan (NANP). The record substantially supports the showing in our initial Comments that (among other things) any proceeding established by the FCC: should be specifically tailored to well-defined issues and timed to take advantage of foundational work by industry groups;² and

¹ A list of commentors (with abbreviations) is attached.

² NTCs i, 4; See also UTI, USTA, BellSouth, Ameritech, U S WEST, Bellcore, SWBT, Pacific Cos.

should not detract from the timely provision of code relief with respect to Numbering Plan Area (NPA) codes and Carrier Identification Codes (CICs), for which industry solutions to pending exhausts have been formulated or are near closure.³ Several parties' points warrant brief comment here.

II. DISCUSSION

A. McCaw (Cellular Concerns): McCaw offers a series of concerns on the cellular industry's interests as they pertain to the NANP.⁴ McCaw fails to show that its concerns have not been or cannot be adequately addressed in industry forums with the NANP Administrator's (NANPA's) involvement and FCC oversight in an open process, as opposed to a broad, general NOI. McCaw also makes several assertions relative to the establishment of an additional area code (917) to relieve an impending exhaust of NXXs in the 212 NPA in New York City, and other local items. These items are outside the scope of this matter, but will be addressed briefly to set the record straight.

McCaw contends that Cellular One (doing business as Metro One) received inadequate notice of the 212 NPA split in New York City.⁵ However, New York Telephone invited Metro One to a meeting held on June 14, 1990, at which Metro One

³ NTCs i, 2-7; See also UTI, USTA, Ameritech, U S WEST, SWBT, Pacific Cos.

⁴ See also Telocator.

⁵ McCaw 5.

actively participated, to discuss options for relieving the impending exhaust in the 212 NPA and how to accommodate cellular and paging concerns. The purpose of the meeting was to gain input from these industry segments in advance of a NY PSC proceeding. A detailed NY PSC proceeding (Case 90-C-0347) was subsequently conducted on the matter, during which Metro One exercised its full and fair opportunity to be heard. Indeed, Metro One participated in and agreed to a Stipulation as well as a Numbering Task Force Report, both approved by the PSC, that were quite responsive to cellular interests. Reasonable adjustment and transition periods are provided for Metro One to use NXXs in the 917 NPA to serve its customers.⁶ Therefore, Metro One has relatively long time frames in which to use customer churn and routine maintenance to implement the new NPA at reduced cost.⁷ We have been fair

⁶ 917 NXXs are made available to Metro One and the Radio Common Carrier (RCC) industry (to replace 212 NXXs) starting January 1992; Metro One will return to NYT one-half of its 212 NXXs by January 2, 1996, and the remaining half by January 2, 1998; Metro One may start using 917 NXXs (to replace 718 NXXs) on July 1, 1992, and will discontinue receiving 718 NXXs after January 1, 1994; and Metro One will return 718 NXXs to NYT no later than December 31, 2004 or two years before the projected 718 NXX exhaust date.

⁷ Cf. McCaw 5. McCaw (at 4) greatly oversimplifies a landline telephone company's required work to effectuate a new area code. The landline company must educate its customers, change operational support systems, notify interexchange carriers and radio common carriers, and modify its switching and other network equipment.

McCaw also asserts that in the 212 NPA split, NYT stated or implied that code use by cellular services was the cause of code exhaust (McCaw Attachment, n. 4). However, NYT listed cellular along with other services (e.g.,

and responsive to Metro One in this matter.

McCaw complains that on an industry basis, it generally takes 120 days from the time an NXX is requested until it is fully functional.⁸ However, the NTCs reasonably require about 90 days to activate an NXX once it is assigned. This time is needed for coordinated switch translations work to assure proper routing and rating; and for updating the nationwide data bases, namely RDBS (Routing Data Base System) and BRADS (Bill Rating Administrative Data System), which support publication of various documents⁹ used throughout the telecommunications industry.

McCaw further states, broadly and without basis, that BOCs assign NXX codes on the basis of ad hoc or undisclosed policies.¹⁰ This is certainly not true as to the NTCs. But, as the NTCs pointed out (p. 8), the NANPA is leading an open, industry-wide effort, involving full participation by the cellular companies, to refine NXX assignment criteria under the aegis of the FCC. In the meantime, the NTCs continue to assign

⁷ (Footnote Continued From Previous Page)

telephone lines for facsimile machines) as examples of relatively fast-growing, modern telecommunications services that would require more NXXs in the future. The Case 90-C-0347 record was replete with evidence of expected high cellular growth. Further, McCaw's reference to "11 full codes" for cellular in the past leaves out mixed codes serving cellular as well as other services.

⁸ McCaw 2, 7 n. 4.

⁹ E.g., Local Exchange Routing Guide (LERG) and Monthly Code Activity Guide.

¹⁰ McCaw 2.

NXXs on a fair and evenhanded basis that efficiently conserves limited numbering resources. Among other things, code conservation guidelines issued by the NANPA are applied. Furthermore, the FCC itself has emphasized the finite nature of this resource, and has indicated that those entities who would be entitled to NXXs should provide evidence of a bona fide need for NXXs.¹¹

B. MFS (Number Portability): MFS asks for an NOI to investigate local telephone number portability.¹² MFS believes that "[i]t should be feasible to make local numbers portable using the same technology now being introduced for 800 service access."¹³ However, it would be premature and inefficient for the FCC to launch an NOI on number portability; MFS oversimplifies and overlooks the breadth of this area. The asserted need for number portability presupposes widespread local telephone competition. But, this area is under the regulatory jurisdiction of numerous state commissions, and the timing and parameters of local telephone competition are not

¹¹ See, e.g., GCI v. Alascom, 3 FCC Rcd 700 (1988). Cf. McCaw 2-3, 8-9. Regarding McCaw's concern over sensitive information (p. 9 n. 8), the NTCs had and have methods and procedures to assure that any confidential information received is used only for the NTCs' NXX code administration purposes. Moreover, the NTCs and their subsidiary Telesector Resources Group (which includes the carrier relations group) are considered part of the Telephone Companies sector of NYNEX and are separate from NYNEX Mobile Communications Company; very limited transactions take place between the Telephone Companies sector and NYNEX Mobile.

¹² MFS 7; See also Teleport 2.

¹³ MFS 7.

yet known. Rather than establish an NOI at this time, the FCC should monitor and coordinate with local competition activities at the state jurisdictional level, and oversee studies by industry forums. The foundation has simply not materialized for an FCC NOI on number portability. While the industry's experience with number portability in the 800 service arena may prove instructive in some respects, it should be remembered that with 800 service one Service Access Code is involved and the industry will not have broad experience until 1993. Local telephone number portability would, at a minimum, have to encompass a data base including every NXX within a given NPA, and could span every NPA and NXX in the future NANP. Moreover, the technical issues (e.g., routing, interconnection, billing, call rating) would be vastly different on a qualitative level between 800 service and local service number portability.

C. Allnet (Antitrust): Allnet posits some general antitrust questions in connection with Bellcore's role as the NANPA.¹⁴ It should be emphasized that:

- the NANPA function at Bellcore has been independent, and not controlled by any or all of Bellcore's owners, the regional Bell companies;
- the seven regional Bell companies increasingly compete with each other (e.g. in cellular markets) as well as with alternate providers in various markets, and such competition is not diminished by NANP activities; and
- the FCC should set the necessary telecommunications policies to guide the NANPA's administrative activities.

¹⁴ Allnet 1-2.

III. CONCLUSION

The opposing commentators have not shown that launching an NOI on broad-ranging NANP issues would be effective or efficient. The FCC should review numbering in a series of carefully timed proceedings tailored to specific issues and using industry groundwork.

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Dated: January 17, 1992

CERTIFICATE OF SERVICE

I certify that copies of Reply Comments of the NYNEX Telephone Companies were served on each of the persons listed on the attached Service List for DA 91-1307 this 17th day of January, 1992, by first class United States mail, postage prepaid.

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